

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA,

V.

ASHLEY YEN NGUYEN, a/k/a "DUYEN,"

Defendant.

Criminal Action No.: H-4:19-cr-

INDICTMENT

THE GRAND JURY CHARGES THAT:

United States Courts
Southern District of Texas
FILED

JUN 05 2019

David J. Bradley, Clerk of Court

COUNT ONE

UNLAWFUL PROCUREMENT OF CITIZENSHIP AND NATURALIZATION –
18 U.S.C. § 1425(a)

On or about June 10, 2009, in the Houston Division of the Southern District of Texas,

ASHLEY YEN NGUYEN, a/k/a "DUYEN,"

the defendant, knowingly procured and attempted to procure, contrary to law, her naturalization, to wit: by knowingly and willfully making under oath and penalty of perjury material false statements in connection with her application for naturalization, in violation of 18 U.S.C. § 1001, when, during an interview with an official of the United States Department of Homeland Security and on a Form N-445 Notice of Naturalization Oath Ceremony, she falsely claimed that, during her immigration interview and afterwards:

- (1) She had not knowingly committed any crime and offense, for which she had not been arrested; and
- (2) She had not given any false testimony to obtain immigration benefits.

which statements the defendant then and there knew were false, in that:

(1) She stated under oath and penalty perjury at her May 21, 2009 Naturalization Interview that:

- (a) She had two children, both of whom were born prior to 2002;
- (b) She had never given false and misleading information to any U.S. government official while applying for any immigration benefit and to prevent deportation, exclusion and removal; and
- (c) She had never lied to any U.S. government official to gain entry and admission into the United States.

(2) The defendant, on May 22, 2006, submitted and filed a petition for an alien relative using the name and identity of United States citizen V.T.N. without his knowledge, permission, and actual signature.

(3) She stated under oath and penalty of perjury in her Form I-751 Petition to Remove Conditions on Residence on March 21, 2006, that:

- (a) She only had one child, who was born prior to 2002; and
- (b) She submitted two letters from individuals stating that they were “acquainted with” the defendant and her husband and had known them since 2002, when, in fact, the defendant’s husband had never met either individual.

(4) She stated under oath and penalty of perjury in her Form I-485 Application to Register Permanent Resident or Adjust Status on May 14, 2003, that:

- (a) She only had one child, who was born prior to 2002;
- (b) She had not, by fraud or willful misrepresentation of a material fact, ever sought to procure, and procured, a visa, other documentation, entry into the U.S. and any immigration benefit; and
- (c) She did not plan to practice polygamy in the U.S.

(5) She stated under oath and penalty of perjury in her DS-156 Immigrant Visa Application and DS-230 Application for Immigrant Visa and Alien Registration on October 20 and 21, 2002, that:

- (a) She only had one child who was born prior to 2002; and
- (b) She had not sought to obtain a visa, entry into the U.S., and any other U.S. immigration benefit by fraud and willful misrepresentation and other unlawful means.

(6) Defendant knowingly and unlawfully intended to marry, and did marry, V.T.N, a United States citizen, solely for the purpose of evading a provision of the immigration laws of the United States; and

(7) During the entire time Defendant was married to V.T.N., a United States Citizen, which was from November 10, 2002 to April 11, 2007, V.T.N. was married to L.L., as V.T.N. and L.L. entered into marriage prior to August 25, 1987 and divorced on March 29, 2010, and defendant knew about V.T.N.'s marriage to L.L. during her marriage to V.T.N.

In violation of 18 U.S.C. § 1425(a).

A TRUE BILL:

Original Signature on File

FOREPERSON OF THE GRAND JURY

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